



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT
180 High Street
Wakefield, RI 02879
Tel (401) 789-9331 x1225

June 29, 2022

Chad Dupuis
153 Juniper Road
Wakefield, RI 02879

At a meeting of the Zoning Board of Review held June 15, 2022, your petition for a Dimensional Variance was granted for premises located at 153 Juniper Road, South Kingstown, Tax Assessor's Map 83-2, Lot 241.

Please be further advised that there is a One-year Expiration. Any variance or special use permit shall expire one year after the date of the filing of the decision in the office of the Town Clerk, unless the applicant shall, within one year, obtain a legal building permit and proceed with the construction, or obtain a certificate of occupancy when no legal building permit is required. If application is made prior to the expiration of the initial one-year period, the Board may, upon written request and for cause shown, renew the variance or special use permit for a second one-year period. Said request for an extension need not be advertised nor noticed, per South Kingstown Zoning Ordinance Section 910.

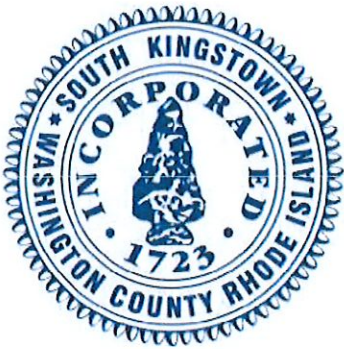
If you have to apply for a building permit, this Decision must be presented to the Building Official's office at the time you make application for your building permit.

Regards,

James Gorman,
Building Official & Zoning Clerk
Town of South Kingstown



RECORDED 06/29/2022 10:42:38 AM
 B/P:1834/Pgs 355 - 356; (2 pgs)
 INST# 23454
 TOWN OF SOUTH KINGSTOWN, RI



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT
 180 High Street
 Wakefield, RI 02879
 Tel (401) 789-9331 x1225

June 29, 2022

NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Ms. Walsh and duly seconded by Mr. Daniels
 Motion passed unanimously: Vote 5-0
 (S. Walsh-Aye, T. Daniels-Aye, R. Brown-Aye, W. Rosen-Aye, R. Cagnetta-Aye)

At a meeting held on June 15, 2022 regarding the Petition of Chad Dupuis, 153 Juniper Road, Wakefield, RI 02879 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to demolish a 6' x 15' deck and reconstruct a 12' x 27' deck with 12' x 12' ell, attached to the existing single-family dwelling. The proposed deck will be located 18' from the rear property line. The required rear yard setback is 30'. Relief of 12' is requested. Lot size is .34 acres. A Dimensional Variance is required per Zoning Ordinance Section 207 (Nonconforming lots of record-Building setback requirements) and Section 907 (Standards of Relief). Owners of the property are Chad C. Dupuis & Karen A. Recene for premises located at 153 Juniper Road, South Kingstown, Assessor's Map 83-2, Lot 241 and is zoned R30

The following individuals spoke as representatives of the applicant:

- Chad Dupuis

The following spoke in favor of the petition.

- James Gallagher, 163 Juniper Road

The following materials were entered into the record:

- Application signed and dated May 11, 2022; Owner Authorization Form signed and notarized May 12, 2022; Existing Site Plan (1 page); Proposed Site Plan (1 page); Deck Framing Plan (2 pages)
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings, Notarized Affidavit of Mailing
- Correspondence
 - William and Bonnie Weed, 236 Holly Road, received June 9, 2022

Findings of Fact:

1. The Board finds that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because the applicant seeks to replace an already non-conforming deck with the proposed deck which is large enough to accommodate his family, additionally by adding the ell shape it will square up the deck to the house.
2. The Board finds that that the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain, because the applicant is simply looking to increase the size of the deck so the deck can be utilized as dining and entertainment space for his family.

3. The Board finds that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based, because the proposed deck fits in well within the neighborhood as many homes in the neighborhood have similar decks.
4. The Board finds that the relief to be granted is the least relief necessary, because the applicant is only seeking to add 6' towards the rear of the property so that the rear section of the deck can be fully utilized.
5. The Board finds that that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, because without the granting of this variance the deck would still be too narrow along the back and not suit the needs of the applicant and his family.

Approval is conditional subject to the following conditions:

- There are no conditions upon this approval.

Respectfully,



James Gorman,
Building Official & Zoning Clerk
Town of South Kingstown